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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 6, 7 and 11 are pending in the application and have been rejected.

Claims 6 and 11 have been amended herein. Applicants respectfully assert that the amendments to the claims add no new matter.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejection

In the Office Action, the Examiner rejected claims 6 and 7 under 35 U.S.C. § 103, as being unpatentable over Rasa et al. (U.S. Patent Application Publication No. 2004/0069235) in view of Carlson et al. (U.S. Patent No. 5,464,360).

The Examiner also rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Rasa et al. in view of Carlson et al. and further in view of Anderson, Jr. et al. (U.S. Patent No. 5,320,069).

Applicants note that independent claim 6 has been amended herein so as to incorporate limitations of dependent claim 11, which has now been canceled herein. Accordingly, Applicants respectfully traverse the rejections of claims 6 and 11 together.

Rasa et al. describe a flea feeding apparatus and method for obtaining in vivo feeding data for fleas feeding from a blood source such as, for example, a mammal or reptile. The flea feeding apparatus includes a containment system comprised of a subject-restraining apparatus and a removable housing that confine the fleas in proximity with the blood source in order to obtain in vivo flea feeding data. According to Rasa et al. (see Abstract), the apparatus allows a known quantity of fleas to feed on a test blood source undisturbed, followed by the

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recovery of all of the fleas for further observation and analysis, with minimal stress and manipulation of the blood source (test animal host).

Carlson et al. describe a container for shipping and utilizing stinging insects for therapeutic purposes includes an elongated sidewall portion having uniform cross-sectional configuration along a center axis of elongation, and end closures disposed at front and rear extremities of the sidewall. One of the end closures is a mesh panel which prevents passage of insects but permits stinging therethrough. A wafer, slideably positionable within the container permits isolation of one insect and advancement of the insect to the mesh panel which may be held against the patient's skin.

Anderson, Jr. et al. teach a small animal restraint device that which enables ocular examinations of the animal, comprising a cylinder having a conical member attached to one end thereof with a pair of eye openings and a nose opening therethrough, a plunger placed in the cylinder from the other end thereof to assist in holding the animal in place, and a screw extending through a longitudinal slot in the cylinder wall thereof to secures the plunger, and the animal, in place.

The Examiner states that Raza et al., at paragraph [0029], teach a perforated outside wall 10. The Examiner admits that Raza et al. do not teach the first moveable partition (claim 6) and a piston rod on the opposite end surface on which the first movable partition is arranged (claim 7), but alleges that Carlson et al. teach a movable partition and piston rod for positioning the assassin bug against a perforated outside wall of the receptacle.

By contrast, amended independent claim 6 recites that "the assassin bug can be held in place against the perforated outside wall of the first receptacle by the first movable partition and blood can be removed from the abdomen of the assassin bug using an injection syringe". The perforated outside wall of the first receptacle, according to amended independent claim 6, has a specific function, namely for holding the bug thereagainst using the first movable partition and for drawing blood from the bug therethrough using an injection syringe.

However, Applicants note that wall 10 in Raza et al. is simply a closure wall of flea containment unit 9 (see paragraph [0019]), and that flea containment unit 9 may be made from any convenient material, including mesh. Applicants point out that the only blood

source in Rasa et al. is the animal from which the flea is drawing blood, not the fleas themselves. That is, blood is drawn only from the animal, not from the fleas. As such, there is no need in Raza et al. for a mechanism to restrain the fleas and to draw blood from the fleas, such that the closure wall 10 is not adapted for withdrawal of blood therethrough. Raza et al. do not teach, describe or suggest any way in which the blood is to be extracted from the fleas, and there is no teaching or suggestion that the bug is positioned against wall 10 for any reason, much less for extraction of blood.

In addition, Applicants point out that Carlson et al. teach a receptacle with only one perforated wall, namely screen 12 that is positioned against the animal and through which the insects contained within the receptacle sting the patient when the insect is pushed forward by pusher 21, as described at columns 2-3. In Carlson et al., as in Raza et al., the only blood source is the patient from which the insect in the receptacle is drawing blood, not the fleas themselves, and no blood is drawn from the insects. As such, Carlson et al. do not teach or suggest a mechanism to restrain the insects while blood is being drawn from the insects. Partition 22 pushes the insects against screen 12 so that they can sting the patient, but screen 12 is not adapted for withdrawal of blood from the insects therethrough.

Therefore, the combination of Raza et al. and Carlson et al. does not teach a device for carrying out the minimally invasive withdrawal of blood from an animal by using blood-sucking assassin bugs, comprising “a first receptacle comprising a perforated outside wall”, “a second receptacle connected to the first receptacle” and “an at least partially perforated common separating wall between the first receptacle and the second receptacle”, wherein “once the blood has been withdrawn, the assassin bug can be held in place against the perforated outside wall of the first receptacle by the first movable partition and blood can be removed from the abdomen of the assassin bug using an injection syringe”, as recited in amended independent claim 6.

In addition, Examiner stated that Raza et al. and Carlson et al. disclose the second receptacle including a disk but fail to disclose the disk being movable, and that Anderson, Jr. et al. teach a movable disk. Applicants note that independent claim 6 has been amended to recite that the second receptacle, wherein the animal is located, is connected to the first

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receptacle and comprises second moveable partition, and that claim 11 recites that the second movable partition is a disk.

In response, Applicants argue that the terminal wall 7 of Rasa et al. and the plunger 22 of Anderson et al., which are used to restrain the animal within the respective container, do not serve the same purpose as the claimed second moveable partition of the second receptacle. As recited in amended independent claim 6, "the animal is held against the at least partially perforated common separating wall by the second movable partition so that the assassin bug can be positioned against the animal and can withdraw blood from the animal". However, in Raza et al. terminal wall 7 simply retains animal A within tube 1, and in Anderson et al. plunger 22 moves the rat 42 forward within cylinder 20 such that the eyes of rat 42 are exposed through openings 14, 16 in the front cone 12. Neither the terminal wall 7 of Rasa et al. nor the plunger 22 of Anderson et al. is used to hold the animal within the second container "against the at least partially perforated common separating wall", as required by amended independent claim 6.

Accordingly, in view of the above arguments and amendments, independent claim 6 is patentable and is not obvious over the combination of Raza et al. and Carlson et al. and over the combination of Raza et al., Carlson et al. and Anderson et al. Each of claims 7 and 11 is dependent on amended independent claim 6 and includes all the limitations of this claim. Therefore, dependent claims 7 and 11 are likewise allowable. Therefore, Applicants request that the Examiner withdraw these rejections.

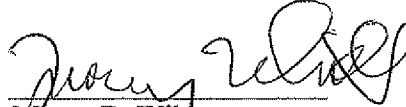
In view of the foregoing amendments and remarks, the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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